

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7
8

EASTERN DISTRICT OF CALIFORNIA

9 SHAKLA JOSEPH, CASE NO. 1:05-CV-00184-AWI-SMS-P

10 Plaintiff,

ORDER FINDING SERVICE OF AMENDED
11 v. COMPLAINT APPROPRIATE AND
12 J. S. WOODFORD, et al., FORWARDING SERVICE DOCUMENTS TO
PLAINTIFF FOR COMPLETION AND
RETURN WITHIN THIRTY DAYS

13 Defendants.

(Doc. 14)

14
15 Plaintiff Shakla Joseph (“plaintiff”) is a state prisoner proceeding pro se and in forma
pauperis in this civil action pursuant to 42 U.S.C. § 2000cc-1, the Religious Land Use and
16 Institutionalized Persons Act of 2000 (RLUIPA). Plaintiff filed this action on February 9, 2005. The
17 court screened plaintiff’s amended complaint pursuant to 28 U.S.C. § 1915A and found that it stated
18 cognizable claims for relief under RLUIPA against defendants Daviega, Pursell, Hooker, Fulks,
20 Anderson, Flore, and Adams.¹ Fed. R. Civ. P. 8(a); Swierkiewicz v. Sorema N. A., 534 U.S. 506,
21 512-15 (2002); Austin v. Terhune, 367 F.3d 1167, 1171 (9th Cir. 2004); Jackson v. Carey, 353 F.3d
22 750, 754 (9th Cir. 2003); Galbraith v. County of Santa Clara, 307 F.3d 1119, 1125-26 (9th Cir.
23 2002). Accordingly, it is HEREBY ORDERED that:

24 1. Service is appropriate for the following defendants:
25

26
27

¹ On September 18, 2006, defendants Schwarzenegger, Woodford, and Hickman, and the State of California
28 and the California Department of Corrections and Rehabilitation to the extent plaintiff intended to name them as
defendants, were dismissed, and plaintiff’s claims for declaratory relief and an injunction prohibiting enforcement of
the grooming regulation were dismissed. (Doc. 17.)

1 C/O B. DAVIEGA
2 C/O R. PURSELL
3 LT. E. HOOKER
4 D. FULKS, ASSOCIATE WARDEN
5 STEVE ANDERSON
6 SGT. P. FLORE
7 DERRAL G. ADAMS, WARDEN

8 2. The Clerk of the Court shall send plaintiff seven (7) USM-285 forms, seven (7)
9 summonses, a Notice of Submission of Documents form, an instruction sheet and a
10 copy of the amended complaint filed December 7, 2005.
11 3. Within **thirty (30) days** from the date of this order, plaintiff shall complete the
12 attached Notice of Submission of Documents and submit the completed Notice to the
13 court with the following documents:
14 a. Completed summons;
15 b. One completed USM-285 form for each defendant listed above; and
16 c. Eight (8) copies of the endorsed amended complaint filed December 7, 2005.
17 4. Plaintiff need not attempt service on defendants and need not request waiver of
18 service. Upon receipt of the above-described documents, the court will direct the
19 United States Marshal to serve the above-named defendants pursuant to Federal Rule
20 of Civil Procedure 4 without payment of costs.
21 5. The failure to comply with this order will result in a recommendation that this action
22 be dismissed.

23
24 IT IS SO ORDERED.

25 **Dated: September 20, 2006**
icido3

26 **/s/ Sandra M. Snyder**
UNITED STATES MAGISTRATE JUDGE